

## THE CITY OF SAN DIEGO TO THE PARK AND RECREATION BOARD

DATE ISSUED: June 10, 2011 REPORT NO. 202

ATTENTION: Park and Recreation Board

Agenda of June 16, 2011

SUBJECT: Review of Continued Land Dedication Efforts and Public Vetting Process

## **SUMMARY**

THIS IS AN INFORMATIONAL ITEM ONLY. NO ACTION IS REQUIRED ON THE PART OF THE BOARD.

## **BACKGROUND**

San Diego Canyonlands (SDCL) is a local non-profit organization whose mission is to promote, protect and restore the natural habitats in San Diego's canyons. SDCL is continuing a visionary plan to conserve San Diego's canyons through the dedication of City open space lands and the establishment of a San Diego Regional Canyonlands Park. The purpose of dedicating as parkland City open space is to provide for reliable preservation of open space and recreational opportunities within our communities.

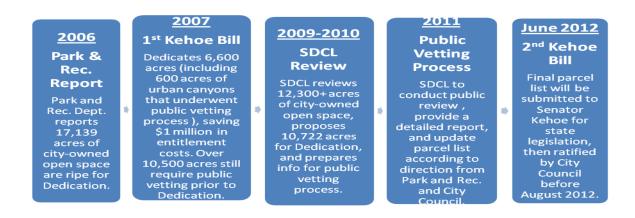
The movement to dedicate as parkland undedicated open space areas began in November 2006, when Parks and Recreation staff performed an inventory of City lands and reported that over 17,000 acres were ready for dedication as parkland (Attachment A). Section 55 of the City Charter facilitates the dedication of parkland via City Council ordinance and via State legislation. Dedication via ordinance is relatively more expensive due to surveying costs that are not required for the State legislation process; therefore, the City sponsored the state legislation (authored by Senator Christine Kehoe and signed by Governor Schwarzenegger), which was subsequently ratified by the City Council in December 2007, dedicating the ~6,600 acres that had been vetted by that time. Ultimately, the state legislation process saved the City over \$1 million (Attachment B).

SDCL is now shepherding efforts aimed at dedicating much of the remaining acreage identified by the Parks and Recreation Department in 2006. SDCL began an internal review of City open

<sup>1</sup> Report to the City Council 06-168.

<sup>2</sup> Report to the City Council 07-196; SB-373 Kehoe.

space in late 2009, and currently proposes 10,722 acres for dedication through a second "Kehoe Bill". SDCL has begun vetting of these lands with the managing City departments and individual Council offices. According to the input SDCL receives, SDCL will update and/or annotate the list of parcels before beginning the public vetting process. SDCL will then gather comments and annotate individual parcels according to specific input from Recreation Councils and Community Planning Groups. SDCL and staff will report this information to the Park and Recreation Board and the City Council offices and – based on the direction received – will finalize the list of parcels for the second Kehoe Bill. The goal is to have the final list of parcels approved and dedicated by August 2012 (see timeline graphic below).



## **DISCUSSION**

#### **Dedicated Lands**

Dedicated parklands include all real property owned in fee by the City that has been formally dedicated in perpetuity for park, recreation, or cemetery purposes, including open space.<sup>3</sup> As specified by Charter Section 55, lands so dedicated shall not be used for any other purposes without having been first authorized or later ratified by a vote of two-thirds of the qualified electors of the City voting at an election for such purpose.

The purpose of dedicating City land as open space is to provide for reliable preservation of open space and recreational opportunities within our communities. Although lands "designated" as open space are set aside for park, recreation, or cemetery purposes, they are done so without the formality of an ordinance or statute dedicating the land for those purposes, and they may still be transferred, sold, exchanged, or developed for non-park uses. In contrast, land that is dedicated requires a two-thirds vote of the electorate to be converted to non-park use. It should be noted that the City Council retains the authority to grant easements for utility purposes in, under, and across dedicated property, as long as those easements and their related facilities do not significantly interfere with the intended uses. <sup>5</sup>

<sup>3</sup> City Charter Section 55; Council Policy 700-17 (Policy on Dedication and Designation of Park Lands).

<sup>4</sup> City Charter Section 55.

<sup>5</sup> Council Policy 700-17.

### **SDCL Review of City Open Space**

In 2009 SDCL established a Canyon Enhancement Planning (CEP) committee, comprised of planning and environmental professionals, including landscape architects (Attachment C). The CEP committee promotes visual and physical canyon access, connections into communities, restoration, conservation, environment-based education, and ecologically sensitive recreation. Throughout 2009 and 2010, the CEP Committee reviewed over 12,300 acres of City-owned sites that have potential for dedication.

SDCL review applied a combination of criteria outlined in Council Policy 700-17 (Policy on Dedication and Designation of Park Lands – Appendix D) and goals established in the 2008 General Plan's Urban Design and Conservation Elements, which helped lend special consideration for City lands that – although they may not have been already designated as open space – have remained in a relatively *natural* condition, are *accessible*, and provide *connectivity* between other open space and habitat, or to neighborhoods or schools. <sup>6</sup> Accordingly, the SDCL review included City-owned sites with GIS database designations in addition to 'Designated Open Space'. A list of all reviewed designations is as follows:

Designated Open Space Pedestrian Right of Way Designated Watershed Area

Vernal PoolBike PathHold for StudyMitigationFlood ControlSale - Public Auction

Access Drainage Not Designated (no current designation)

The following section provides the applicable sections of Council Policy 700-17 (Appendix D), followed by SDCL's criteria that implement the dedication policy and reconcile those requirements with objectives laid out in the 2008 General Plan.

**700-17 III-A** "The land either fits the criteria of resource-based parks, in that it is the site of distinctive scenic or natural or cultural features, and is intended for City-wide use; is a complete open space system or sub-system; or at a minimum is a portion of a sub-system sufficient to stand on its own. (Isolated properties designated as open space shall be dedicated only upon the City's obtaining sufficient additional adjacent land to meet this requirement.)"

#### SDCL Review Criteria:

In general, a parcel has not been recommended for dedication if it met only one of the following six criteria. For example a site that was evaluated as only having an undeveloped condition or some habitat on it was not recommended for dedication if it was isolated and did not serve to connect to a system or subsystem of open space. However, vernal pool sites were recommended for dedication despite being isolated.

1. Undeveloped Condition: In general, the site contains no improvements or structures, and by-in-large retains a natural land form. SDCL did not investigate sites designated in the database as developed parks for potential dedication. Some portions of some parcels do include improvements (e.g., concrete storm water conveyance structures); however, the vetting process will evaluate the appropriateness of dedicating only portions of parcels, as was done in 2007.

<sup>6</sup> Council Policy 700-17; 2008 General Plan Conservation Element Section B, Urban Design Element Section A.

- 2. **Size and Proximity to Other Open Space:** The site is of significant size, or is located near other open space that when taken together constitutes an area of significant size or contiguity, particularly within a canyon or open space network. Open space "contiguity" may include existing parks or open spaces owned/managed by other public bodies or undeveloped private property.
- 3. **Riparian Wetlands Zone:** Sites that fall within a stream/drainage network. (This is an important resource and distinctive natural feature. See also General Plan UD-A.1 and RE-F).
- 4. **Habitat:** The site contains key ecosystems and habitat areas (see also General Plan UD-A.1)
- 5. **View-shed:** The site contains the bulk of a significant view-shed (see also General Plan UD-A.3).
- 6. **Proximity to Schools:** Sites located near a school and provide connectivity (see General Plan UD-A.2 "Open Space Linkages").

700-17 III-B "The land does not include areas which are undesirable for park purposes, would be more suitable for other purposes, or which could be traded or sold to obtain more desirable park lands or to fund park improvements. In these cases, to provide flexibility in making revisions which would be beneficial to meeting the City's open space goals, the land shall not be dedicated."

SDCL Review Criteria: Consistent with Section III-A, SDCL is not proposing dedication of properties that are isolated and do not have sufficient adjacent land to meet the policy criteria. Consistent with Section III-B, only land that is desirable for park purposes are proposed for dedication. Of the 12,327 acres of land reviewed by SDCL, 1,605 acres were found not to meet the Council Policy on dedication.

**700-17 III-C** "The deed to the property is free of restrictions which might preclude dedication as park land."

SDCL Review Criteria: All lands proposed for dedication were included in a GIS layer provided to SDCL by the Parks and Recreation Department. SDCL does not know of any properties proposed for dedication that has restrictions that would preclude their dedication as park land. All proposed dedication sites would be reviewed by the Real Estate Assets Department for conformance with this requirement.

700-17 V "Requests for dedication or designation of a park site shall include the following information: (A) How the park site implements the Park and Recreation Element or Open Space Element of the Progress Guide and General Plan and/or the Community Plan."

SDCL Review Criteria: This open space dedication proposal furthers many conservation, recreation and urban design goals laid out in the City's 2008 General Plan. Over 87% of lands proposed for dedication are designated open spaces within community plans, and most – if not all – were included in the original report (No. 06-168, see Attachment A) submitted by Parks and Recreation staff to the Natural Resources and Cultural Committee (November 2006) as being ripe for dedication. A list of several related General Plan policies and concepts (particularly for canyons, which comprise the bulk of the proposed area) are as follows:

- CE-B.1 "Protect and conserve the landforms, canyon lands, and open spaces that: define the City's urban form; provide public views/vistas; serve as core biological areas and wildlife linkages; are wetlands habitats; provide buffers within and between communities; or provide outdoor recreational opportunities."
- CE-B.1.c "Protect urban canyons and other important community open space including those that have been designated in community plans for the many benefits they offer locally, and regionally as part of a collective citywide open space system (see also Recreation Element, Sections C and F; Urban Design Element, Section A)."
- UD-A.1. "Preserve and protect natural landforms and features. (a) Protect the integrity of community plan designated open spaces. (b) Continue to implement the MSCP to conserve San Diego's natural environment and create a linked open space system. Preserve and enhance remaining naturally occurring features such as wetlands, riparian zones, canyons, and ridge lines."
- *UD-A.2* "Open Space Linkages Use open space and landscape to define and link communities."
- UD-A.3 "Design development adjacent to natural features in a sensitive manner to highlight and complement the natural environment in areas designated for development." Additional details pertaining to canyon views, grading, visual and physical access are provided in UD-A.3.a-g.
- RE-F.2.d "Preserve open space along lakes, rivers, and creek beds for passive public recreation uses that are consistent with MSCP preservation goals."

It should be noted that additional canyon issues (e.g., erosion, invasive plant species, access, etc.) are addressed throughout the Conservation Element, including discussion and policies in sections Open space and Landform Preservation (CE-B), Water Resources Management (CE-D), Urban Runoff Management (CE-E), Biological Diversity (CE-G), and Environmental Education (CE-N)

## **Review Results**

SDCL's CEP Committee applied these criteria in its review of 12,327 total acres (427 sites) of City-owned land, and concluded that 10,722 acres (355 sites) should be proposed for dedication (see Attachment E for Summary Table and Map of Proposed Sites Currently Proposed for Dedication). Of the 10,722 acres currently proposed, 91% (10,075 acres) are either already designated open space (9,629 acres, 87%) or intended for *mitigation* purposes (446 acres, 4%). The Parks and Recreation Department currently manages 93% (9,999 acres) of the total area currently proposed by SDCL.

#### **Public Review Process and Proposed Timeline**

After receiving input from the Parks and Recreation Board and managing City departments, SDCL will update and/or annotate the list of proposed lands, and begin the public review process of the list. To facilitate this process, information about these 355 sites was assembled into informational tables, maps, aerial ("birds-eye") figures, and layers compatible for viewing in Google Earth (see Attachment F for examples).

The proposed timeline for Public Review and the Dedication is as follows:

### 1. Public Review Process (April 2011 – August 2012)

## **Park and Recreation Board**

- June 16 Preliminary Presentation Feedback on process and concept.
- Board Action (by January 2012).

## **City Council Members**

• April 6 – Seek support of concept (began with Districts 1, 2, 4 and 8).

## Mayor's Office

• May 7 – Letter submitted.

## **Open Space Canyons Advisory Committee (OSCAC)**

- April 14 Presented proposal, information only.
- Will provide opportunity for OSCAC members to review maps/info and provide input.
- Will request OSCAC Support Statement prior to August 2012.

## **City Managing Departments**

- Get feedback from City Managing Departments
- April 14 Requested meeting opportunity with Public Utilities Department.
- April 25- Information submitted to open Space Division for review.

## **Planning Groups and Recreation Councils**

• Meet individually or group together if possible.

## 2. <u>Finalize Proposal, State Legislation, Council Ratification (January 2012 – August 2012)</u>

- Submit Dedication Report and Updated Proposal to City Council Offices.
- Submittal to Senator Kehoe for State Legislation.
- City Council Ratification of approved legislation (Goal August 2012).

## **SDCL Canyon Enhancement Planning (CEP)**

The majority of lands proposed for dedication are comprised of canyons and creeks, and SDCL leadership has been developing volunteer-based community stewardship for these open spaces for over eleven years. The partnership with these volunteer groups and Open Space Rangers has proven to be an efficient and effective way to restore and maintain the canyons.

The SDCL Canyon Enhancement Planning (CEP) Committee and program – started in 2009 – is designed to develop comprehensive plans for each canyon, primarily by providing informative existing conditions maps and facilitating canyon stakeholder forums. SDCL has been creating a CEP Guide that will facilitate a systems approach for integrating our natural open spaces within the fabric of the urban environment, and will serve as a resource to community and agency stakeholders to develop enhancement plans for individual canyons, as well as plans to connect them to improve pedestrian mobility and community access to open space.

Development of this guide is based on a pilot project in Manzanita/Lexington Canyon in City Heights. SDCL created existing conditions maps and facilitated five stakeholder meetings to develop an Enhancement Action Plan for that canyon (see Attachment G for Map of

Manzanita/Lexington Canyon Action Plan and Map of Visionary Loop Trail connecting four canyons in City Heights).

SDCL is also working closely with the Open Space Division on the environmental documentation for a Master Canyon Enhancement Permit to cut cost and red tape for canyon projects.

Respectfully submitted,

Chris Zirkle

Deputy Director, Open Space Division

Prepared by:

Eric Bowlby

Executive Director,

San Diego Canyonlands

EB/WA/CZ

Attachment: Attachment A – Report to the City Council 06-168

Attachment B – Report to the City Council 07-196

Attachment C - SDCL CEP Committee List

Attachment D - Council Policy 700-17 (Policy on Dedication and Designation of

Park Lands)

Attachment E - SDCL Summary Table and Map of Proposed Sites for Dedication

Attachment F - SDCL Examples of Information for Public Review Process

Attachment G - SDCL Map of Manzanita/Lexington Canyon Action Plan and

Map of Visionary Loop Trail Connecting Four Canyons in City

Heights



### THE CITY OF SAN DIEGO

## REPORT TO THE CITY COUNCIL

DATE ISSUED:

Nov. 13, 2006

REPORT NO. 06-168

ATTENTION:

Natural Resources and Cultural Committee

Agenda of November 15, 2006

SUBJECT:

City of San Diego Open Space

REFERENCE:

Canyon Lands Report dated March 15, 2006

This is an informational item only. No action is required by the Committee.

#### **BACKGROUND**

San Diego Civic Solutions prepared a white paper titled, "Canyonlands, The Creation of a San Diego Regional Canyonlands Park." A main theme of the white paper, among others, was to bring a collective comprehension to canyonlands by appreciating them and identifying solutions to problems that threaten to destroy them. In addition to preservation, San Diego Civic Solutions presented the widely accepted concept of creating scenic routes that connect parks, river corridors, among other similar type nodes via urban canyons/trails for a dynamic park system.

The San Diego Civic Solutions presentation on this subject was made to the Natural Resources and Culture Committee on June 28, 2006. A motion was adopted to refer the canyonland white paper to the Mayor's office to report back with specific concepts and issues that include:

- 1) Preparing a report about canyonlands inventory
- 2) Formulating an action plan to dedicate canyons for protection from development
- 3) Formulation of a comprehensive canyonlands management and maintenance plan
- 4) Include canyonlands concepts in the Natural Resources Element (Conservation Element) of the General Plan update

#### DISCUSSION

Open space within the City of San Diego is global in how it is owned and managed. The Park and Recreation Department, the lead in presenting today, is only one owner/manager of the entire City's open space system. Private owners as well as other public agencies also own significant portions of open space within the city's jurisdiction.

## 1. Preparing a report about canyon lands inventory

The City of San Diego's entire park system, the second largest municipal park system in the country, is over 39,000 acres. An <u>approximate</u> total of the entire park system, which is constantly evolving, is as follows:

Developed Regional Parks

6,240 + 6,000 (LJ Underwater Park) = 12,240 acres

Population Based Parks

2.670 acres

Open Space

24,200 acres

As noted above, the P&R Open Space Division manages over 24,000 acres of designated and dedicated open space, which includes open space parks and canyons. Although there is no real definition of a "canyon land" per se, most of the 24,000 acres is canyons with some mesas. There are also a few areas noted as vernal pool sites and mitigation areas within this number. The Maintenance Assessment Districts also include open space lands within some of their boundaries and manage approximately 20% of P&R Department open space. The open space lands under the Citywide Canyon Program total approximately 13% of the City's open space. This program manages all open space that is separate and distinct from the nine open space parks listed below. These nine parks comprise the remaining 67% of the open space total.

- Black Mountain Open Space Park
- Los Peñasquitos Canyon Preserve
- Marian Bear Memorial Park
- Mission Trails Regional Park
- Otay Valley Regional Park
- Rose Canyon Open Space Park
- San Diego River Park
- San Pasqual-Clevenger Canyon Open Space Park
- Tecolote Canyon Natural Park

Of the over 24,000 acres, seven thousand and sixty one (7,061) acres are dedicated. Attachment A shows in a table the Open Space Inventory and which parcels are designated and dedicated. Attachment B shows the same information graphically. As one can see, there are large portions of parks that are designated but not dedicated. For the sake of clarification, dedication and designation definitions are noted below:

<u>Dedicated Park Lands</u> include all real property own in fee by the City that has been formally dedicated in perpetuity pursuant to Section 55 of the City Charter and Council Policy 700-17 for park, recreation, or cemetery purposes, including open space. Dedication can be by ordinance of the City Council or by stature of the State Legislature. As specified by Charter Section 55, lands so dedicated shall not be used for any but park, recreation or cemetery purposes without such changed use or purpose having been first authorized or later ratified by a vote of two-thirds of the qualified electors of the City voting at an election for such purpose.

City Owned Designated Open Space Park Lands are lands that have been acquired in fee title by the City for open space purposes and are managed by the P&R Department, but have not been dedicated under Charter Section 55. Pursuant to Charter Section 55, designated city owned park lands – which include open space that have been "set aside without the formality of an ordinance or stature dedicating such lands for park, recreation, or cemetery purposes may be used for any public purpose deemed necessary by the Council."

From time to time, the issue of state, federal or other public entities use of dedicated park land arises for uses other than the Charter Section 55 requirements. According to the City Attorney's Office, these dedicated park lands are not necessarily protected by the Charter and can be taken by eminent domain powers.

2. Formulating an action plan to dedicate canyons for protection from development

Council Policy 700-17, titled "Policy on Dedication and Designation of Park Lands," dated August 5, 1985, provides guidance to the P&R Department regarding this issue. Below is a summary of the policy respective to open space:

#### Council Policy 700-17

III. All land acquired for open space park purposes and owned in fee by the City shall be dedicated by ordinance pursuant to Charter Section 55 if it meets the following conditions:

- A. The land either fits the criteria of resource-based parks, in that it is the site of distinctive scenic or natural or cultural features, and is intended for city-wide use; is a complete open space system or sub-system; or at a minimum is a portion of a sub-system to stand on its own. (Isolated properties designated as open space shall be dedicated only upon the city's obtaining sufficient additional adjacent land to meet this requirement.)
- B. The land does not include areas which are undesirable for park purposes, would be more suitable for other purposes, or which could be traded or sold to obtain more desirable park lands or to fund park improvements. In these cases, to provide flexibility in making revisions which would be beneficial to meeting the City's open space goals, the land shall not be dedicated.

C. The deed to the property is free of restrictions which might preclude dedication as park land.

In addition, paragraph VI of the Council Policy requires city staff to annually present to the P&R Board a review of the designated park lands inventory to determine the priority status of lands meeting the requirements for dedication or designation as specified in paragraph III above. Staff is then required to forward the findings from the P&R Board to the City Council for direction.

In comparing the above noted criteria of paragraph III with the list provided as Attachment A (see also Attachment B for graphic); one can see the city has not dedicated likely thousands of acres of open space land that could be. During the FY2005 and FY2006 budget processes, the P&R Department has referred the issue to the City Manager for review, stating that such work would require funding for additional resources/staffing and consultant services (Attachment C). The City Manager's Office declined to fund this program over others as a higher priority, such as, maintaining recreation centers, pool hours, core maintenance and operations staff which support these functions. In addition, the City Manager redirected staff resources to the delivery of the Capital Improvement Program (CIP) for parks and considered the CIP a priority over dedication due to the lack of funding for both in the budget (320 projects/\$387,000,000 in FY2005, 220 projects/\$466,000,000 in FY2006, 219 projects/\$543,000,000 in FY2007). Therefore, dedications have been placed on hold since that time.

Moving forward to dedicate park lands will require resources that are not currently budgeted or a reprioritization of resources. It is advised that the City Council work with the Mayor's Office during the FY2008 budget process to determine how dedications are prioritized with other programs. If it is agreed that dedications will be funded, then P&R will re-institute the dedicated of parkland per Council Policy 700-17.

There has been considerable discussion about using volunteers to dedicate park land. P&R staff would appreciate this support and would be willing to facilitate these efforts. Attachment D provides a flow chart showing the tasks required to dedicate park land. The major resources needed to dedicate parkland are: 1) California licensed land surveyors for potential field survey work and legal description expertise to finalize documents to present to the appropriate boards and councils, and 2) city staff to prioritize the dedications list and route the information to the correct boards, councils, etc. for approval. If California licensed land surveyors are not provided by volunteers, funds will be required to hire for consultant services. Attachment C provided for expertise in-house as well as consultant assistance.

In addition, if volunteers agree to provide California licensed land surveyors services and a program is establish with this expectation, a contingency plan of funding for consultant services is recommended in case volunteers cannot complete the dedications as anticipated. The Field Engineering Division's Land Surveying Section of the Engineering and Capital Projects Department, have been used successfully in the past for

dedications; however, they are a general fund reimbursable department and would need their costs recovered. City staff is also needed to ensure the priority list of what is dedicated is followed; double checks on legal descriptions are done, etc. The flow chart shown in Attachment D does show some redundancy in the review of legal descriptions. These safe guards were put into effect due to past errors on dedications that proved costly to the City, and P&R recommends these safe guards be maintained.

## 3. Formulation of a comprehensive canyon lands management and maintenance plan

The Open Space system is a valued part of San Diego that cannot be measured on a monetary basis. The recreational opportunities, aesthetics and tranquility of open land greatly add to our quality of life. In 1968, the City of San Diego Planning Department published the report, "Open Space for San Diego," that laid the foundation for open space preservation. In 1973, the City Council adopted "A Plan for the Preservation of Natural Parks for San Diego" as the official Open Space Element. That plan served as a guide for all actions involving open space until February 1979, when the City Council adopted the current Open Space Element of the Progress Guide and General Plan for the City of San Diego.

In 1978, the citizens approved Proposition C, which authorized the sale of \$65 million in general obligation bonds to purchase open space properties for the City. The Auditors Department shows that over 3,000 acres was purchased with these funds. Placing proper standards in place via the General Plan and subsequently establishing a funding stream to implement acquisition, resulted in substantial open space land for the city.

Since the expenditure of the open space bonds, the city has looked to acquire land through two main processes: 1) the Multiple Species Conservation Program (MSCP)/Multi-Habitat Planning Area (MHPA), and 2) through opportunities via development in coordination with the Development Services Department. Occasionally donations, grants or state bonds have also been used to acquire/obtain land. It should be noted that the focus of the MSCP is to provide a comprehensive habitat conservation program that addresses multiple species habitat needs and the preservation of native vegetation communities for the southwestern San Diego County. So, although the MSCP does provide for the linking canyons and corridors, it is biologically based, and is not necessarily for all the purposes noted in the Canyonlands whitepaper, such as recreation.

Acquisitions or private partnerships in providing open space via development have helped provide missing links to canyons and river corridors. The P&R Department in coordination with the Development Services Department and City Planning and Community Investment look to coordinate such efforts by evaluating private project submittals for those opportunities.

The P&R Department's Open Space Division manages the day to day operations of City designated and dedicated open space. Their primary goal is to preserve, protect and enhance the city's open space. With limit resources, they utilize a large volunteer

contingent of friends groups, scouts programs, citizen advisory committees, etc, in managing its open space land. Their main objectives in the preservation and management of the city's open space park land are noted as follows:

- ➤ Inventory Management of the park system
- Maintain and enhance existing trails, Master Plan and Develop future Trails
- > Resource management
- Maintain a safe environment and patrol schedules, as well as, provide safety hazard removal and homeless abatement.
- Encourage community support, conduct Canyon Leaders Committee meeting, Education Outreach, Friends of Groups, School Club/Program
- > Promote volunteer work projects, Coordinate contracted work projects, Trail repair and maintenance
- Eradicate invasive plants, Document invasive plants, Habitat enhancement/restoration, Re-vegetation maintenance and monitoring (Natural Resource Management Plans)

A comprehensive Trails Master Plan is being developed at this time for the entire city. It looks to provide detail routes and links with bike lanes, current and future trails, and connects canyon corridors as noted in the Canyonlands initiative. This draft document is approximately 50% complete at this time.

Natural Resource Management Plans are plans that give on site management guidelines to staff in terms of trail maintenance, trash clean-up, identified mitigation and restoration areas, etc. They also provide guidelines for utility maintenance such as SDG&E easements, sewer access, among others. The Open Space Division has completed three of these documents and four currently are in process. These documents cost approximately \$100,000 to produce (depending on complexity) and the City typically looks for grants to fund this work. The Open Space Division's goal would be to have Natural Resource Management Plans for the entire open space system.

The P&R Department has less than 45 full time equivalent positions that manage the over 24,000 acres of open space. This provides for a ratio of 1 person to 533 acres. Included in the 45 positions is clerical and administrative staff that supports the rangers, and ground maintenance workers in the field.

4. <u>Include canyon lands concepts in the Natural Resources Element (Conservation Element) of the General Plan update</u>

At the heart of the canyon land initiative is the General Plan update. City staff supports many of the concepts presented in the Canyonlands white paper. The current General Plan and the proposed General Plan have a standard of 20 acres per 1,000 residents. In fact, the principals of protecting and linking urban canyons are a major component of the General Plan update via its Recreation and Conservation Elements. Highlighted below

are only a few of the many stated goals and policies written in the General Plan update regarding open space preservation and linkages:

## Open Space Lands and Resource-Based Parks - Goals

- ♦ An open space and resource-based park system that provides for the preservation and management of natural resources, enhancement of outdoor recreation opportunities, and protection of the public health and safety.
- ♦ Preservation of the natural terrain and drainage systems of San Diego's open space lands and resource-based parks.
- ♦ A system of pedestrian, bicycle, and equestrian paths linking communities, neighborhoods, parks, and the open space system.

Following the stated goals above are policies and initiatives mentioned to implement the goals. A few of the many noted policies are:

## **Open Space Lands and Resource-Based Parks - Policies**

RE-E.2. Provide for sensitive development of recreation uses within and adjacent to City owned open space lands.

RE-E.4. Balance passive recreation needs of trail use with environmental preservation.

RE-E.5. Utilize open space lands for outdoor recreation purposes, when doing so is compatible with cultural, historic preservation and MSCP conservation goals and surrounding land uses

RE-E.6. Encourage the planning and coordination of river parks to provide public recreational opportunities, protect natural resources and enhance community character.

The recent General Plan update was released in October (2006). Within the entire body of the plan, one can see the measures taken by city staff to ensure the goals and policies for open space protection and proper planning efforts are solidified. The City of San Diego website has the entire General Plan update available for review at <a href="https://www.sandiego.gov">www.sandiego.gov</a>.

A major component to the success of open space lands and its connection to the General Plan update is the Parks Master Plan. The General Plan will work in tandem and be vital in spelling out both the vision and standards for park planning and development, followed by the Parks System Master Plan outlining the options, priorities and strategies for achieving these standards. This coordinated approach will ensure that the goal of developing a citywide network of parks and open space will always be present and at the forefront during community planning discussions and long range park planning efforts.

#### CONCLUSION

In conclusion, City staff agrees with the major components of the San Diego Civic Solutions prepared a white paper titled, "Canyonlands, The Creation of a San Diego Regional Canyonlands Park." As noted above, City staff has set the tone for implementation of the initiatives major goals in the General Plan update as requested in the Canyonlands whitepaper.

In addition, staff agrees dedications are important. Resources for dedications need to be funded in order to fully relieve the backlog that currently exists and to keep pace with new lands requiring dedication. This needs to be determined in the FY2008 budget process.

The Open Space Division maximizes its resources to protect, maintain and preserve the City's open space system. With all park systems, there is room for improvement. Efforts to develop management tools and programs such as the Natural Resource Management Plans and Trails Master Plan will assist in meeting many of the goals stated in the Canyonlands whitepaper. The P&R Department will look to the Parks Master Plan and its subsequent funding strategies to complete some of those missing elements.

Many cities likely wish they had the problem of managing such a wonderful open space system as the City of San Diego's. The P&R Department thanks San Diego Civic Solutions for their efforts and those of the volunteers that help protect the City's open space land.

Respectfully submitted,

April S. Penera, P.E.

Park Planning & Development Div.

**Deputy Director** 

Approved by,

Ted Martinez, Ir

Neighborhood and Customer Services

Deputy Chief

## Attachments:

- A List of Dedicated/Designate Open Space
- B Graphic of Dedicated/Designate Open Space
- C City Manager Referral
- D Dedication Process Flow Chart



#### THE CITY OF SAN DIEGO

## REPORT TO THE CITY COUNCIL

DATE ISSUED: November 28, 2007 REPORT NO: 07-196

ATTENTION: Council President and Members of the City Council, City Council

Meeting of December 3, 2007

SUBJECT: Approve resolution identifying lands to be designated as of January 1,

2008, as open-space lands in a document entitled "Declaration of the

Dedication of Land" under SB 373-Kehoe.

REFERENCE:

## **REQUESTED ACTION:**

- 1. Approve resolution identifying lands to be designated as of January 1, 2008, as open-space lands in a document entitled "Declaration of the Dedication of Land" under SB 373-Kehoe.
- 2. Approve resolution of the San Diego City Council in the same manner in which the city council processes approval of dedicated open space, reserving to the city council the authority to grant easements for utility purposes in, under, and across dedicated property, if those easements and facilities to be located thereon do not significantly interfere with the park and recreational use of the property, and filed with the Office of the City Clerk for the City of San Diego

#### STAFF RECOMMENDATION:

Approve Resolution

## **SUMMARY:**

The cost to the City of San Diego to use its normal process of converting designated open space to dedicated open space would exceed \$1 million. The passage of SB 373 allows the Legislature to expedite the conversion. Additionally, it will provide the protection to the open space land that was always intended and extend the protection afforded by the NCCP Act beyond the 50 years memorialized in the Implementing Agreement.

The list of properties SB 373 and this resolution will be protecting totals over 6600 acres, including 600 plus acres in urban canyons around the City. All of the identified urban canyons underwent a public vetting process and were approved by the Park and Recreation Board in 1992. SB

373 also provides dedicated status to over 6000 acres in three regional parks- Mission Trails Regional Park, Otay Valley Regional Park and Los Penasquitos Canyon Reserve.

## **REPORT:**

SB 373 converts lands that are designated as of January 1, 2008, as open space lands in a document entitled "Declaration of Land" approved by the San Diego City Council and filed with the City Clerk in San Diego, to be dedicated lands under the City Charter of the City of San Diego. Further the bill clarified that the City's approval process for the lands covered by the bill will take place in the same manner in which the City processes approval of other dedicated open space and they reaffirm the City Council's existing authority to grant utility easements if they do not significantly interfere with the park recreational use of the property.

In 1997, the City of San Diego received state and federal approval for a Multi Species Conservation Plan that, as a general matter, designated certain lands for development and other lands for open space, parks, and wildlife habitat. The City of San Diego entered into a 50-year implementing agreement with the California Department of Fish and Game and the United States Fish and Wildlife Service that specifically references community open space lands that include canyons, Landscape Maintenance Districts and open space parcels throughout the City. The Multiple Species Conservation Plan (MSCP)includes a total of approximately 55,000 acres of open space. Dedication of city open space lands may be accomplished via a city ordinance or via statute of the state Legislature.

San Diego has determined that approximately 6500 acres of open space owned by the city are eligible for conversion from "designated" open space to "dedicated" open space. The city charter allows dedication of park lands to occur either through a city process or through a bill passed by the Legislature. Because of a lack of local funding and other bureacratic obstacles, the Mayor chose to pursue a legislative action to dedicate these properties. The properties are generally located in urban canyons that have undergone a public vetting process or are within existing regional parks. All are near the core biologically important lands protected by the MSCP and provide not only open space but wildlife habitat.

Lands that are merely "designated" as open space may be transferred or exchanged with five votes of the city council. Lands that are "dedicated" as open space may not be transferred or exchanged without a 2/3 vote of the people.

This bill passed the Senate 31-6 and passed the Assembly 66-11. It was signed by the Governor and was chaptered into law on October 13, 2007.

This bill was supported by the:
California Native Plants Society
Citizens Coordinate for Century 3
Endangered Habitats League
Los Penasquitos Canyon Preserve Citizens Advisory Committee

Mission Valley Community Council San Diego River Coalition Sierra Club, San Diego Chapter

Job Nelson Director, Intergovernmental Relations Julie Dubick, Director, Policy

Attachments: List of Properties to be Dedicated
Maps of Properties to be Dedicated



# San Diego Canyonlands • 3552 Bancroft Street San Diego, CA 92104 • 619-284-9399 •

## CANYON ENHANCEMENT PLANNING (CEP) COMMITTEE (Current May 2011)

(Current May 2011)							
Name	Role Served	Occupation and Affiliations					
Eric Bowlby	Program Manager	<ul><li>Executive Director, SDCL</li><li>8 Yrs. Sierra Club Canyons Program Manager</li></ul>					
Vicki Estrada	Chair, Canyon Enhancement Planning Committee	<ul> <li>Owner -Estrada Land Planning</li> <li>Landscape Architect</li> <li>Chair City Forest Advisory Board</li> </ul>					
Kevin Johnston	County Information Liaison	<ul> <li>San Diego County Dept. of Land Use &amp; Plan.</li> <li>Normal Heights Canyons Group Leader</li> <li>Normal Heights Community Planning Group</li> </ul>					
Will Anderson	Intern Program Management GIS Support	<ul><li> Programs Manager - SDCL</li><li> Owner - Anderson Geographics</li></ul>					
Tom Huffman	CEQA Expert	Chief Development Officer - Helix Environmental					
Michael Stepner	Professional Planning Advisor	New School of Architecture					
Andrew Spurlock	Brochure Development Professional Land Planning	<ul><li>New School of Architecture</li><li>Spurlock Poirier</li></ul>					
Dick Rol	GIS Mapping Dedication & Mapping Intern Coordinator	<ul> <li>Senior Landscape Architect – AECOM         Design &amp; Planning</li> <li>Normal Heights Friends Group Leader</li> </ul>					
John Lomac	Research and C-3 Liaison	<ul><li>Real Estate Professional</li><li>C-3 Board Member</li></ul>					
CITY STAFF Guest Participants	Role Served	Occupation					
Chris Zirkle	Master Permit Development	Deputy Director Park & Rec. Open Space					
Laura Ball	Master Permit Development	Senior Planner Park & Rec. Open Space					
Keli Balo	Manzanita Mapping Resources	Biologist, Public Utilities Dept.					
Anthony Bernal	Liaison for District 3 Council Member Todd Gloria	Policy Advisor					

## CITY OF SAN DIEGO, CALIFORNIA COUNCIL POLICY

**CURRENT** 

SUBJECT: POLICY ON DEDICATION AND DESIGNATION OF PARK LANDS

POLICY NO.: 700-17

EFFECTIVE DATE: August 5, 1985

#### **BACKGROUND:**

Park lands are an invaluable resource for citizens of the City of San Diego. It is important to protect these lands from being converted to nonrecreational uses. Such protection is best provided in the form of dedication or designation.

## **PURPOSE:**

To establish a policy for the protection of park lands by dedication (Section 55 of the City Charter) or designation as defined herein.

## **LEGAL CONSIDERATIONS:**

Section 55 of the City Charter provides in pertinent part as follows:

All real property owned in fee by the City heretofore or hereafter formally dedicated in perpetuity by ordinance of the Council or by statute of the State Legislature for park, recreation or cemetery purposes shall not be used for any but park, recreation or cemetery purposes without such changed use or purpose having been first authorized or later ratified by a vote of two-thirds of the qualified electors of the City voting at an election for such purpose. However, real property which has been heretofore or which may hereafter be set aside without the formality of an ordinance or statute dedicating such lands for park, recreation or cemetery purposes may be used for any public purpose deemed necessary by the Council.

### POLICY:

- I. All land acquired for resource-based park and recreation purposes and owned in fee by the City shall be dedicated by ordinance pursuant to Section 55 of the City Charter within one year of the date that the City accepts the property deed.
- II. All land acquired for population-based park and recreation purposes and owned in fee by the City shall be dedicated by ordinance pursuant to Section 55 of the City Charter upon acquisition if the following affirmative conditions exist:

The Park Service District appears to contain no other alternative park site;

The population has reached the population minimum stated in the City's Progress Guide and General Plan;

The Park and Recreation Board, City Manager and/or City Council determine that there are no unusual circumstances which indicate dedication consideration should be deferred.

## CITY OF SAN DIEGO, CALIFORNIA COUNCIL POLICY

## **CURRENT**

- III. All land acquired for open space park purposes and owned in fee by the City shall be dedicated by ordinance pursuant to Section 55 of the City Charter if it meets the following conditions:
  - A. The land either fits the criteria of resource-based parks, in that it is the site of distinctive scenic or natural or cultural features, and is intended for City-wide use; is a complete open space system or sub-system; or at a minimum is a portion of a sub-system sufficient to stand on its own. (Isolated properties designated as open space shall be dedicated only upon the City's obtaining sufficient additional adjacent land to meet this requirement.)
  - B. The land does not include areas which are undesirable for park purposes, would be more suitable for other purposes, or which could be traded or sold to obtain more desirable park lands or to fund park improvements. In these cases, to provide flexibility in making revisions which would be beneficial to meeting the City's open space goals, the land shall not be dedicated.
  - C. The deed to the property is free of restrictions which might preclude dedication as park land.
- IV. All land held in City interest for park and recreation purposes, not meeting the requirements for dedication as specified in Sections I, II and III, including land held in less than fee ownership, shall be designated by resolution and thereafter be subject to public hearing process prior to any other use or disposition, except for dedication.
- V. Requests for dedication or designation of a park site shall include the following information:
  - A. How the park site implements the Park and Recreation Element or Open Space Element of the Progress Guide and General Plan and/or the Community Plan.
  - B. For population-based parks, an estimate of the long term development schedule.
  - C. For open space park land, reservation of the City Council's authority to establish easements for utility purposes in, under, and across the dedicated property so long as such easements and the facilities to be located therein do not significantly interfere with the park and recreational use of the property.
- VI. The Park and Recreation Board shall annually review the City inventory of park lands to determine the status of lands meeting the requirements for dedication or designation as specified in Sections I, II, III, and IV. Staff will subsequently report the findings of the Board to the City Council.
- VII. City park lands, dedicated and designated, shall be clearly identified in any Planning Commission or Council action which affects the park site. Lands which are neither dedicated nor designated shall not be counted as satisfying any requirements or standards for park land.
- VIII. Following designation of a park, nonconflicting nonrecreational uses may only be permitted upon recommendation of the Park and Recreation Board and approval of the City Council.

## CITY OF SAN DIEGO, CALIFORNIA COUNCIL POLICY

## **CURRENT**

## **CROSS REFERENCE**:

City Charter Sec. 55 Council Policy 100-02 Council Policy 600-23 Council Policy 700-03 Council Policy 700-07

## **HISTORY**:

Adopted by Resolution R-186031 01/13/1966 Amended by Resolution R-193887 06/06/1968 Amended by Resolution R-218126 04/12/1977 Amended by Resolution R-254869 08/24/1981 Amended by Resolution R-263807 08/05/1985

## **Sites Proposed for Open Space Dedication**

May 2011

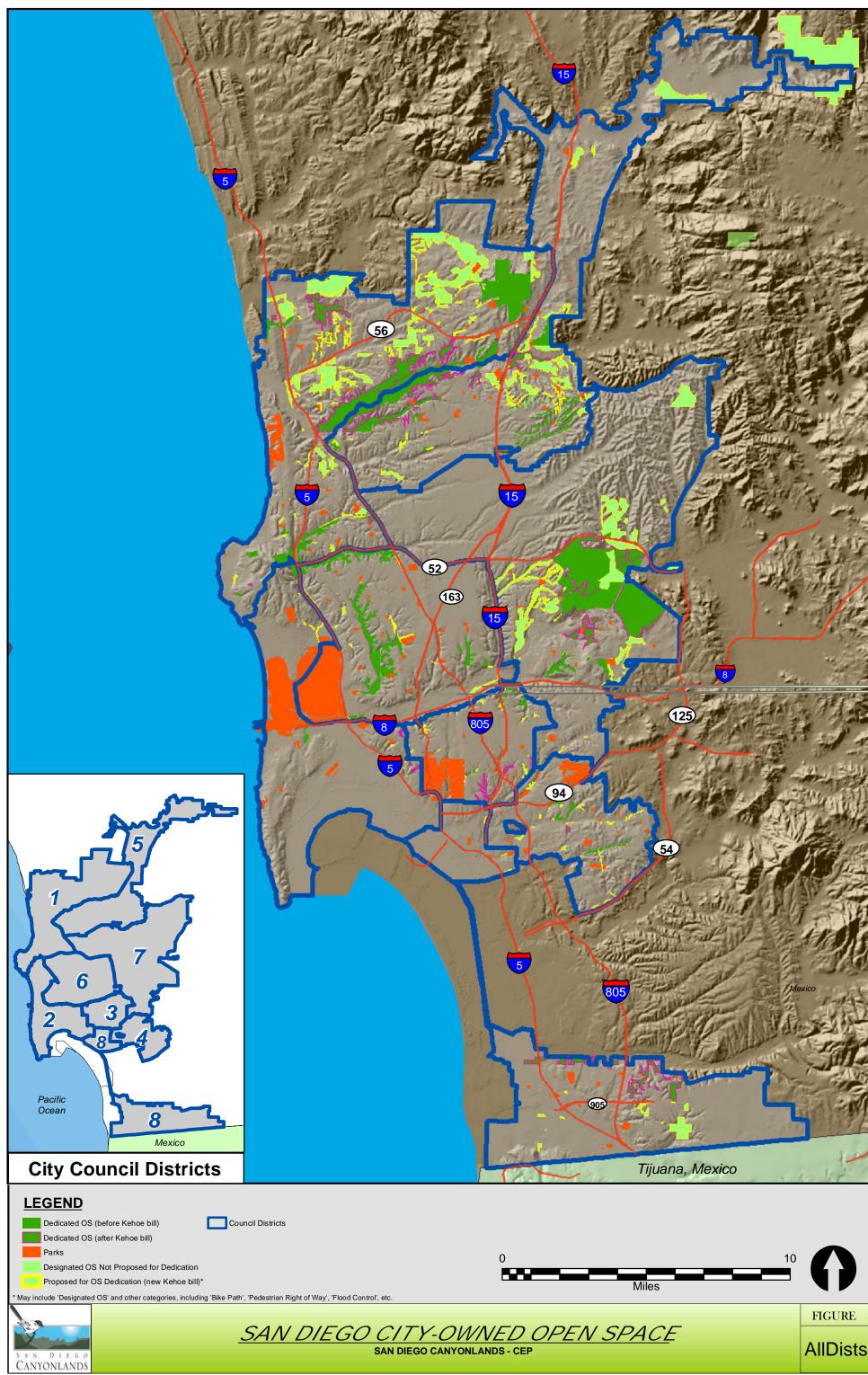


Results of Internal Review	Acres	Sites	% of Reviewed Area				
Not Proposed for O/S Dedication	1,605	72	13				
Proposed for O/S Dedication	10,722	355	87				
Total Reviewed	12,327	427	100				
Proposed Sites							

By Current Designation	Acres	Sites	% of Proposed Area		
Designated Open Space	9,629.05	268	87.43		
Mitigation	446.38	6	4.05		
No Designation	299.89	20	2.72		
Flood Control	209.20	21	1.90		
Operations Station	48.65	1	0.44		
Drainage	38.07	25	0.35		
Hold for Study	22.39	6	0.20		
Vernal Pool	17.04	2	0.15		
Bike Path	9.83	3	0.09		
Access	1.52	2	0.01		
Public Auction Sale	0.15	1	0.001		

Acres	Sites	% of Proposed Area
9,999	272	93.26
308	26	2.87
260	52	2.43
104	3	0.97
51	2	0.48
	9,999 308 260 104	9,999 272 308 26 260 52 104 3

By City Council District	Acres	Sites	% of Proposed Area			
District 1	3,977	115	37.09			
District 5	3,583	57	33.40			
District 7	2,531	47	23.60			
District 8	312	35	2.91			
District 6	120	20	1.12			
District 4	95	29	0.88			
District 3	71	35	0.67			
District 2	34	17	0.32			
TOTAL PROPOSED	10,722	355	100			



## **APPENDIX F**

## **Examples of Information Prepared for Public Review**

- 1. Parcels Table
- 2. District Map
- 3. Community Planning Area Map
- 4. Parcels Map
- 5. Aerial (Birds-eye) Figure
- 6. Google Earth Screenshot

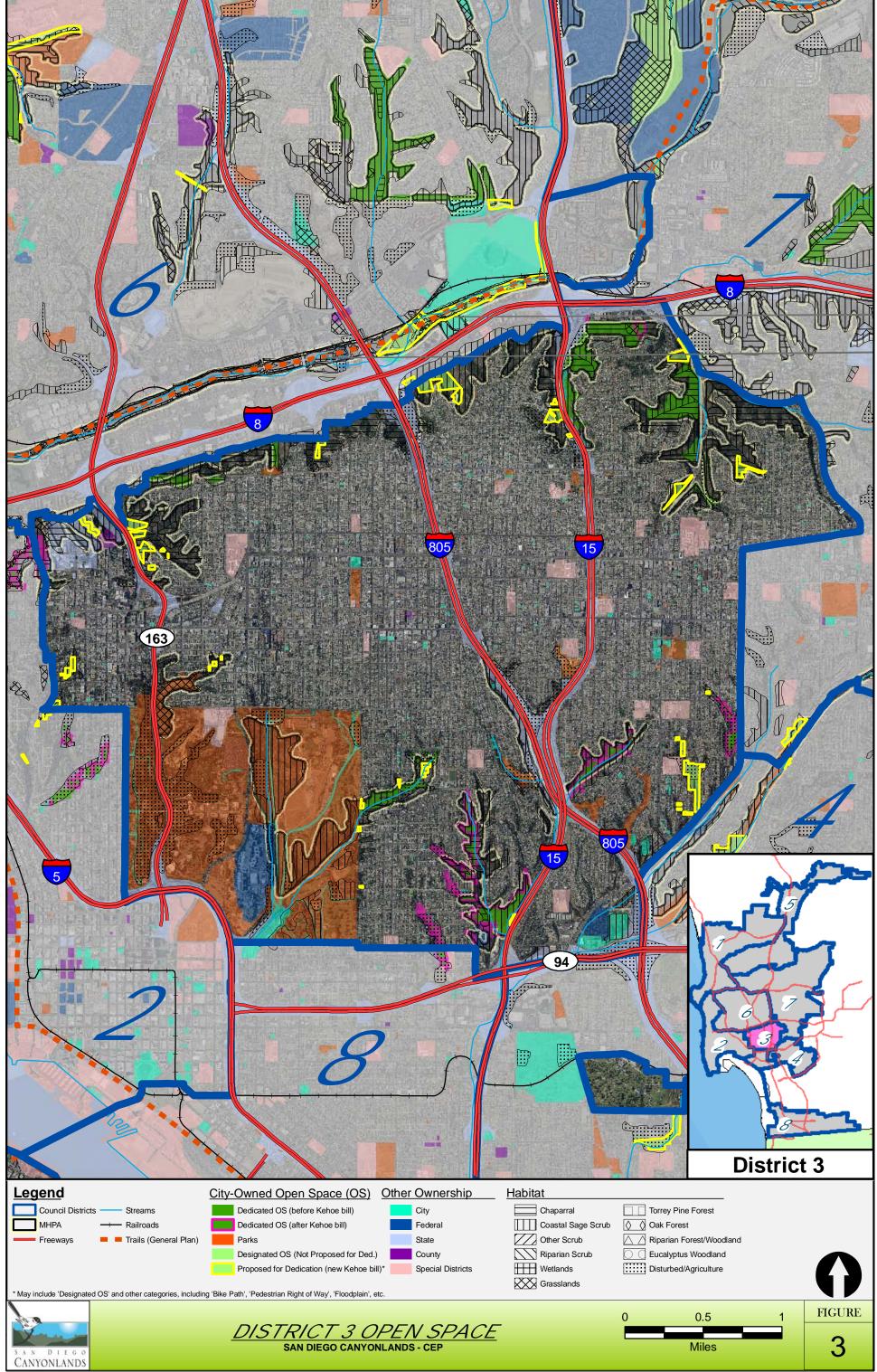




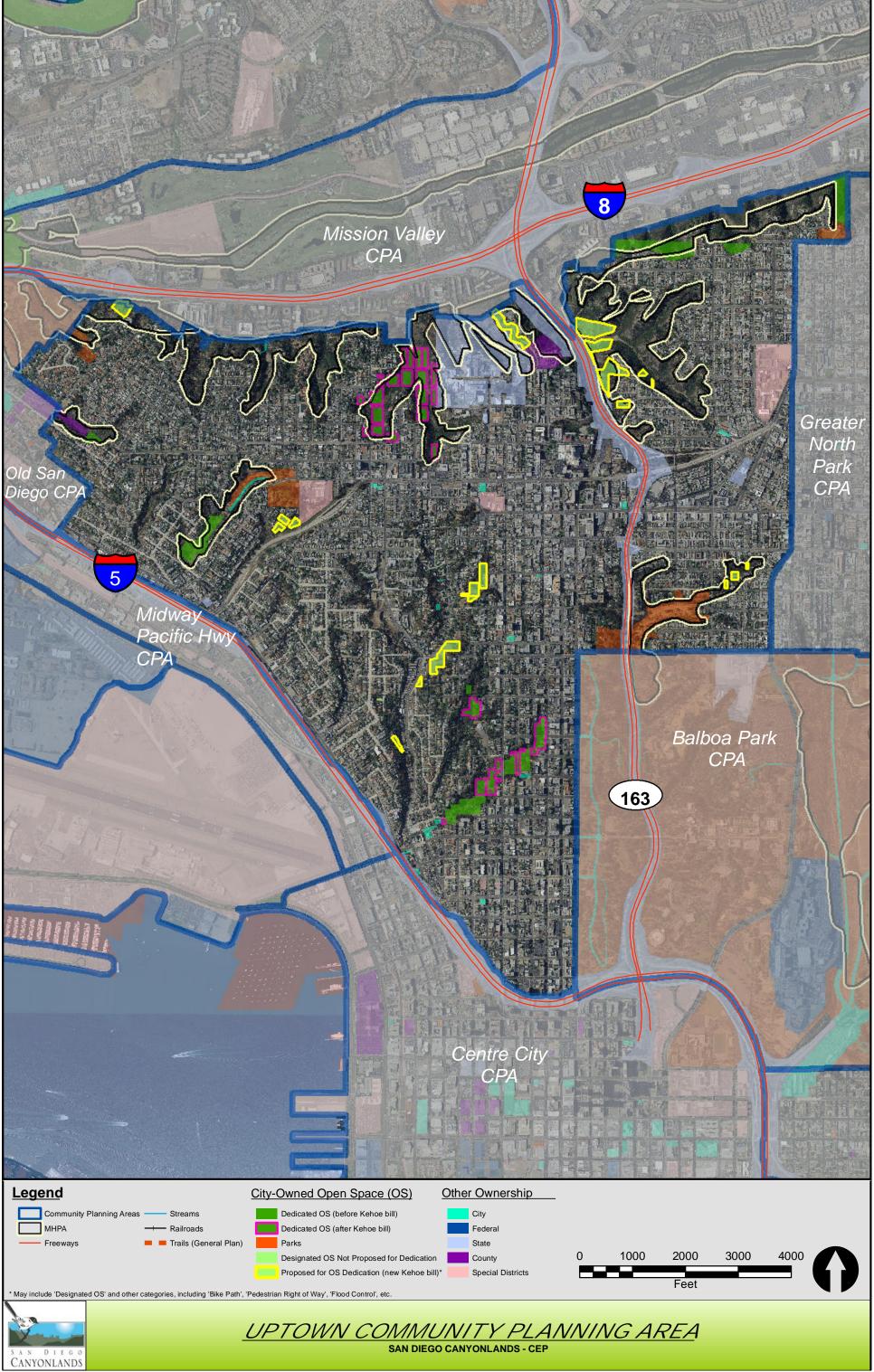
## Sites Proposed for Open Space Dedication - District 1

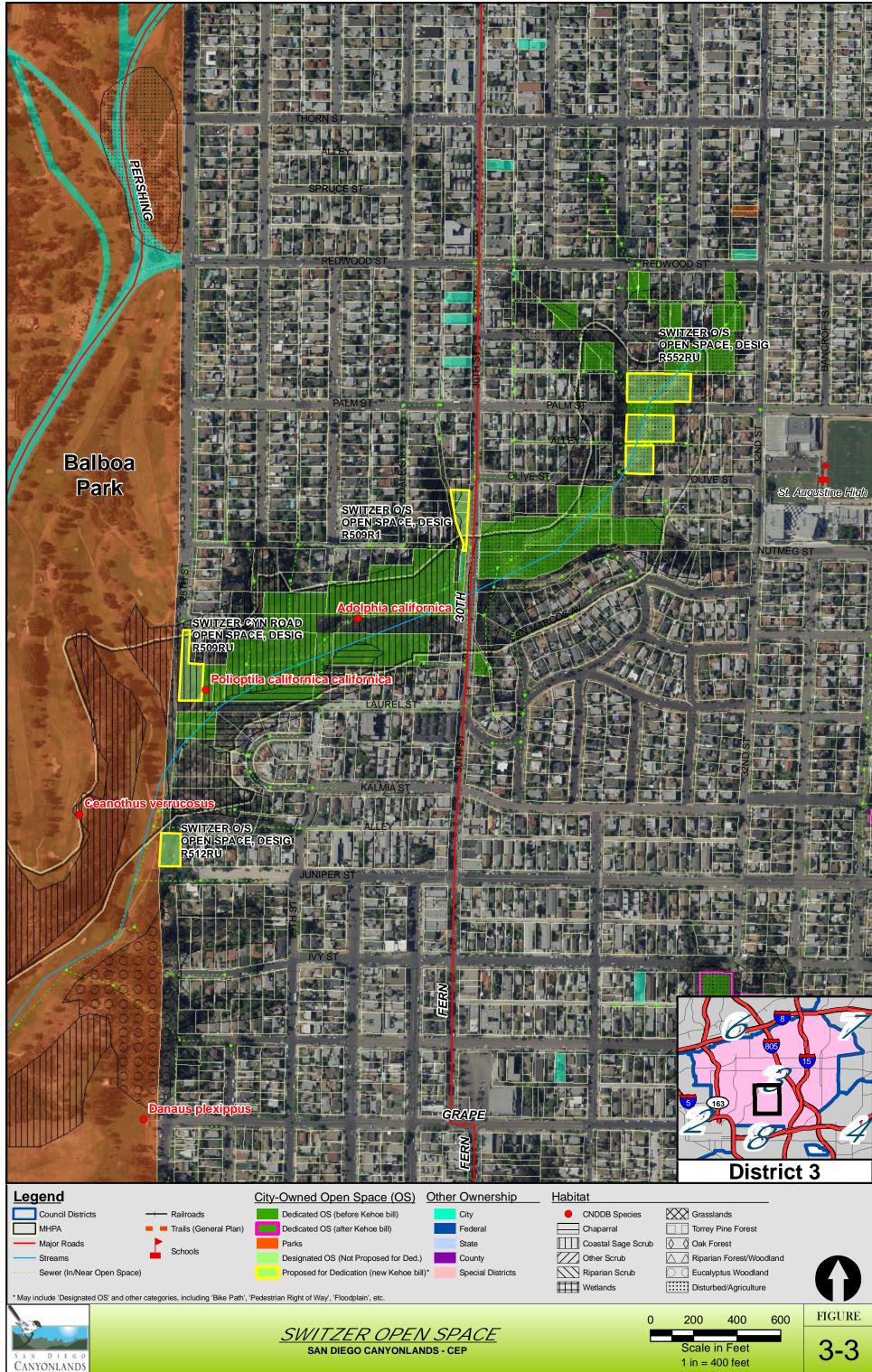
March 2011

Planning Community	Site Code	Reference Figure(s)	Common Name	Approximate Address	Current Designation	Acres	Managing Department	Use Restrictions	MWWD Water	SDCL CEP Notes & Rationale
Black Mountain Ranch	F402RU	1-19i/j	LA ZANJA CANYON O/S	CAMINO RUIZ ELY/CARMEL VLLY RD NWLY	Open Space, Desig	158.366	Park and Recreation	See L1203 Entries	N	Great connection, riparian, habitat
	F401RU	1-23a	LA ZANJA CANYON O/S	CAMINO RUIZ ELY/CARMEL VLLY RD NWLY	Open Space, Desig	14.807	Park and Recreation	See L1203 Entries	N	disturbed, restorable, adjacent to OS system
	F403RU	1-23c/d	LA ZANJA CANYON O/S	CAMINO RUIZ WLY/NWLY CARMEL VLLY RD	Open Space, Desig	1.633	Park and Recreation	See L1203 Entries	N	provides trail connection
	F410RU	1-24a	BLACK MTN RCH O/S	SAN DIEGUITO RD SLY/WLY MONTIEN	Open Space, Desig	6.329	Park and Recreation	See L1203 Entries	N	provides trail connection, riparian, habitat, OS
	F407RU	1-24b	BLACK MTN RCH O/S	SAN DIEGUITO RD SELY/WLY CAMINO RUIZ	Open Space, Desig	96.259	Park and Recreation	See L1203 Entries	N	OS connections, habitat
	F409RU	1-24c	Black Mountain O/S	SAN DIEGUITO RD NLY/WLY CAMINO DELSU	Open Space, Desig	248.773	Park and Recreation	See L1203 Entries	N	OS connections, habitat
	F504RU	1-25a/b	Black Mountain O/S	CARMEL VLLY RD WLY/NLY CAMINO DELSUR	Open Space, Desig	567.988	Park and Recreation	See L1203 Entries	N	provides trail connection, riparian, habitat, OS
	H214RU	1-10a/b	Carmel Valley O/S	NELY CARMEL PARK DRIVE	Open Space, Desig	5.097	Park and Recreation	See L1203 Entries	N	Connection to adjacent park with trail in parcel
	H306RU	1-10f	Carmel Valley O/S	CARMEL CNTRY NWLY CARMEL MSSN	Open Space, Desig	4.910	Park and Recreation	None	N	Trail within, provides connection to park to south .natural
	H340RU	1-10g	Carmel Valley O/S	CARMEL COUNTRY/DEL MAR TRAILS RDS	Open Space, Desig	1.027	Park and Recreation	See L1203 Entries	N	Trail within and natural vegetation
Carmel Valley	H336RU	1-10h	Carmel Valley O/S	DEL MAR HTS RD SLY LANSDALE	Open Space, Desig	7.920	Park and Recreation	None	N	Connected and natural, part of OS system
	1209RU	1-12a	CARMEL VLY RSTOR/C.V.E.P.	RTE 56 SLY OF/WLY EL CAMINO REAL ST	Mitigation	22.732	Park and Recreation	See L1203 Entries	N	Mitigation Land,
	I204R1	1-12c	CARMEL VLY RSTOR/CVREP	ROUTE 56 SLY OF & ELY EL CAMINO REAL	Mitigation	186.438	Park and Recreation	See L1203 Entries	N	Mitigation Land,
	I204R2	1-14a	CARMEL MTN O/S	CARMEL CREEK RD ELY OF	Open Space, Desig	155.695	Park and Recreation	See L1203 Entries	N	Carmel Mt. Viewshed
	I301RU	1-14b	SHAW VALLEY O/S	CARMEL COUNTRY RD, WLY OF	Open Space, Desig	0.630	Park and Recreation	See L1203 Entries	N	connectivity, drainage, native habitat



Date: 11/22/2010 Drawn by: Will Anderson Filename: 3\_All\_District3.mxd





Date: 11/22/2010 Drawn by: Will Anderson Filename: 3-3\_SwitzerOS.mxd

## Birdseye figure for each site





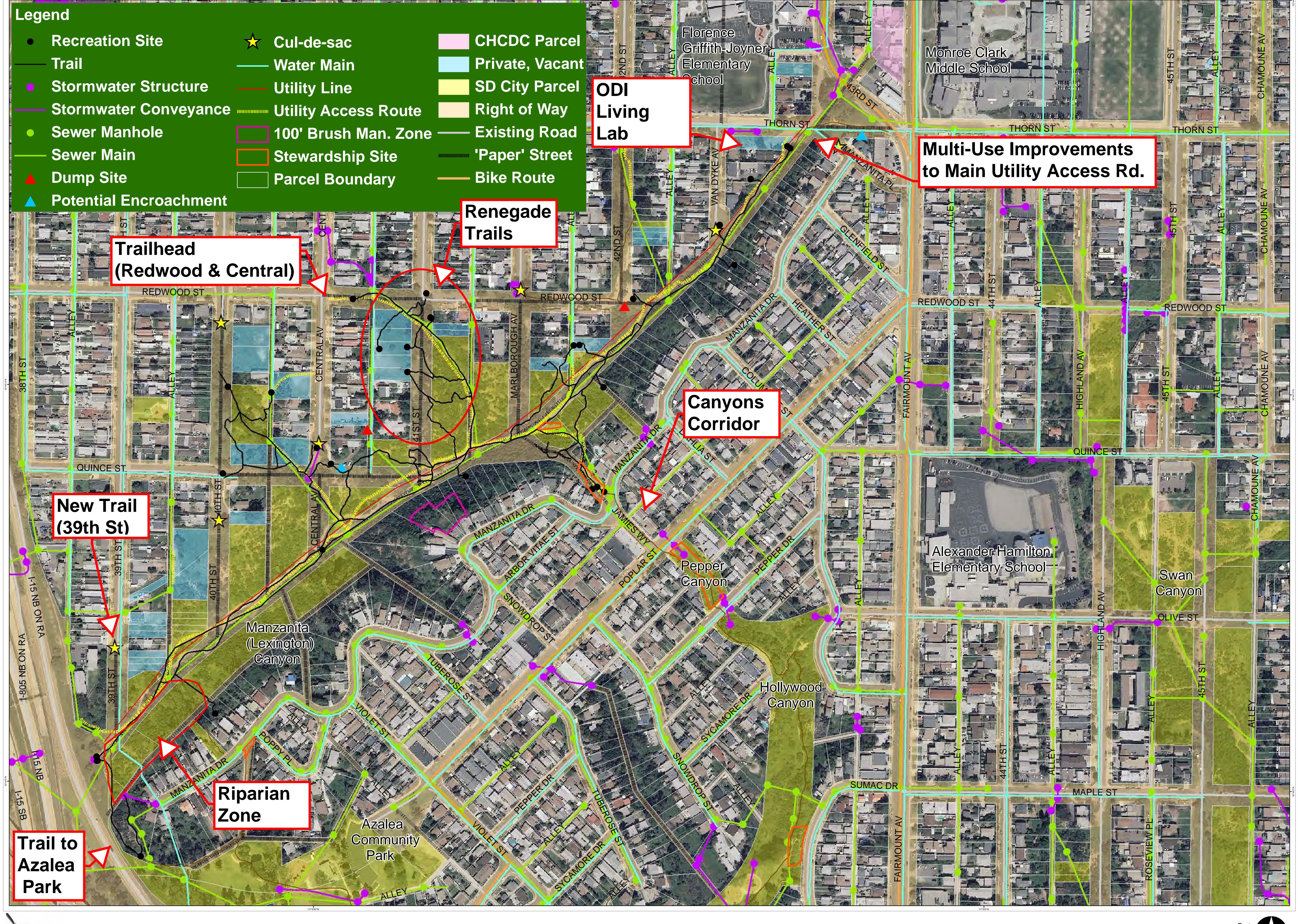
## Google Earth Layers . . . with tabular info



## **APPENDIX G**

## **Canyon Enhancement Planning (CEP) Examples**

- 1. Map of Manzanita/Lexington Action Plan
- 2. Map of Visionary Loop Trail Connecting Four Canyons in City Heights





Feet 1,320

